

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**
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In re:

**Case No. 3:13-bk-06069-PMG
Chapter 13**

**CHRISTOPHER PAUL PIERCE and
DARLENE MARIE PIERCE,**

Debtors.

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS OF
CLAIM FIFTEEN (15) OF OCWEN LOAN SERVICING AND TO STRIP LIEN
EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion to Determine Secured Status of the Homestead property mortgage held by Ocwen Loan Servicing. (Claim Fifteen) and to Strip Lien (the "Motion") filed April 3, 2014 and said Creditor having failed to file a written response to the Motion in accordance with Rule 2002-4, Local Bankruptcy Rules, it is

ORDERED:

1. The Motion to Determine Secured Claim Status of Claim Fifteen (15) is GRANTED pursuant to 11 U.S.C. §506(a) and the mortgage lien is voided pursuant to 11 U.S.C. §506(d).
2. The value of that portion of Claim Fifteen (15) secured by Real Property (Homestead) is \$0.00. The balance of this claim shall be treated as unsecured.
3. The legal description of this property is as follows:

**Lot 14, Majestic Oaks Phase I, According to map in Map Book 49, pages 99
through 101, inclusive, Public Records of Volusia County, Florida.**
4. The mortgage held by Ocwen Loan Servicing recorded on May 6, 2006 at Book 5823, Pages 3993 of the official records of Volusia County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if

appropriate, the avoidance of Greentree Servicing, LLC lien prior to the entry of the Debtors' discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DONE and ORDERED in Jacksonville, Florida, this 27th day of May, 2014



PAUL M. GLENN
United States Bankruptcy Judge

Attorney Christopher R. DeMetros is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of the entry of the order.

"RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 54, NO. 7968"